

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : James R. Hornsby

Appln. No. : 09/942,156

Filing Date : August 29, 2001

Title : **RACE CAR AND TRACK**



COPY OF PAPERS
ORIGINALLY FILED

Group Art Unit: Not Yet Known

Examiner: Not Yet Known

DECLARATION FOR UTILITY PATENT APPLICATION (37 C.F.R. § 1.63)

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

RACE CAR AND TRACK

The specification of which:

- ☐ is attached hereto OR
☒ was filed on August 29, 2001 as United States Application Number 09/942,156 or PCT International Application Number and amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

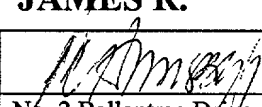
| Application Number(s) | Filing Date (MM/DD/YYYY) |
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| 60/229,654 | 08/31/2000 |

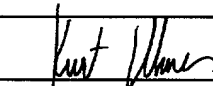
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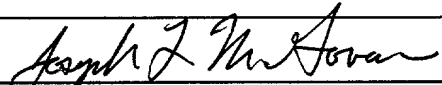
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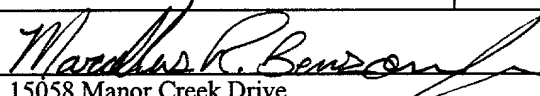
| | |
|-----------|--|
| Name | David E. Bruhn |
| Address | DORSEY & WHITNEY LLP Pillsbury Center South 220 South Sixth Street Minneapolis, MN 55402-1498 |
| Telephone | 612-340-6317 |
| Fax | 612-340-8856 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


| | | |
|--------------------------------|--|---------------------------------------|
| Sole or First Inventor: | | |
| Given Name (First and middle) | | Family Name or Surname |
| JAMES R. | | HORNSBY |
| Inventor's Signature |  | Date: 10/18/01 |
| Residence | No. 2 Ballantrae Drive City: St. Louis State: Missouri Zip: 63131 | Citizenship: United States of America |
| Post Office Address | No. 2 Ballantrae Drive St. Louis, Missouri 63131 | |

| | | |
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| Second Inventor: | | |
| Given Name (First and middle) | | Family Name or Surname |
| Kurt V. | | ULMER |
| Inventor's Signature |  | Date: 10.08.01 |
| Residence | 4901 McPherson Avenue City: St. Louis State: Missouri Zip: 63108 | Citizenship: United States of America |
| Post Office Address | 4901 McPherson Avenue St. Louis, Missouri 63108 | |

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| Third Inventor: | | |
| Given Name (First and middle) | | Family Name or Surname |
| JOSEPH L. | | MCGOWAN |
| Inventor's Signature |  | Date: <u>Oct. 8, 2001</u> |
| Residence | 1533 Heritage Manor Circle City: St. Charles State: Missouri Zip: 63303 | Citizenship: United States of America |
| Post Office Address | 1533 Heritage Manor Circle St. Charles, Missouri 63303 | |

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| Fourth Inventor: | | |
| Given Name (First and middle) | | Family Name or Surname |
| MARCELLUS R. | | BENSON |
| Inventor's Signature |  | Date: <u>10/08/01</u> |
| Residence | 15058 Manor Creek Drive City: St. Louis State: Missouri Zip: 63017 | Citizenship: United States of America |
| Post Office Address | 15058 Manor Creek Drive St. Louis, Missouri 63017 | |

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|-----------------------|---------------------------|---|------------------------------------|---------------|
| First Named Inventor: | James R. Hornsby |  | COPY OF PAPERS ORIGINALLY FILED | |
| Appln. No.: | 09/942,156 | | Examiner: | Not Yet Known |
| Filing Date: | August 29, 2001 | | Group Art Unit: | Not Yet Known |
| Title: | RACE CAR AND TRACK | | | |

POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

In the above-referenced patent application, on behalf of Trendmasters, Inc., I hereby appoint the Dorsey & Whitney LLP attorneys and agents associated with **Customer Number 25763** to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation.

Please address all telephone calls to: **David E. Bruhn** at (612) 340-6317.

Please address all correspondence to **David E. Bruhn** at the address corresponding to **Customer Number 25763**, currently:

DORSEY & WHITNEY LLP
Pillsbury Center South
220 South Sixth Street
Minneapolis, Minnesota 55402

Dated: Oct. 8, 2001

Signature: _____

Michael L. Wolf

Name: Michael L. Wolf
Title: Assistant Secretary

ASSIGNMENT

Attorney Docket No.: 6866.01

Page 1 of 3

First Named Inventor: James R. Hornsby

Title: RACE CAR AND TRACK

WHEREAS, I, James R. Hornsby of No. 2 Ballantrae Drive, St. Louis, Missouri 63131; Kurt V. Ulmer of 4901 McPherson Avenue, St. Louis, Missouri 63108; Joseph L. McGowan of 1533 Heritage Manor Circle, St. Charles, Missouri 63303; and Marcellus R. Benson of 15058 Manor Creek Drive, St. Louis, Missouri 63017, have invented certain new and useful improvements as described in an application entitled **RACE CAR AND TRACK** for Letters Patent of the United States, the application having been executed on even date herewith, and/or being identified in the United States Patent and Trademark Office by Application No. 09/942,156, filed August 29, 2001; and

WHEREAS, Trendmasters, Inc., a corporation organized and existing under the laws of the State of Missouri, and having offices at 611 North Tenth Street, St. Louis, Missouri 63101, ("Assignee") is desirous of acquiring the entire right, title and interest in and to the invention, the application, and any and all Letters Patent or similar legal protection, foreign or domestic, to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, I transfer to Assignee, its successors and assigns, my entire right, title, and interest in and to the invention, the above-identified patent application, corresponding domestic applications (including divisionals, continuations, and continuations-in-part), corresponding foreign applications, all Letters Patent or similar legal protection issuing thereon, and all rights and benefits under any applicable treaty or convention; and I authorize the Commissioner of Patents and Trademarks of the United States or foreign equivalent thereof to issue the Letters Patent or similar legal protection to the Assignee.

I authorize the Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent or similar legal protection, in its own name if desired, in any and all foreign countries.

I represent to the Assignee, its successors and assigns, that I have not and shall not execute any writing or do any act whatsoever conflicting with this Assignment. I, my executors or administrators, will at any time upon request, without additional consideration, but at the expense of the Assignee, its successors and assigns, execute such additional writings and do such additional acts as the Assignee, its successors and assigns, may deem desirable to perfect its enjoyment of this grant, and render all assistance in making application for and obtaining, maintaining, and enforcing the Letters Patent or similar legal protection on the invention in any and all countries.

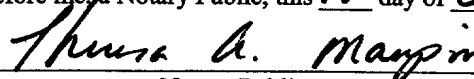

James R. Hornsby

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Missouri)

COUNTY OF St. Louis : SS.)

Subscribed and sworn to before me, a Notary Public, this 15 day of Oct., 2001.



Notary Public

THERESA A. MAUPIN
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County

My Commission Expires: June 6, 2004

(SEAL)

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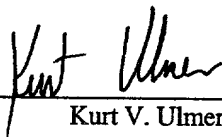
ASSIGNMENT

Attorney Docket No.: 6866.01

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First Named Inventor: James R. Hornsby

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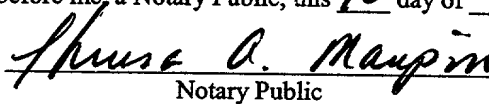

Kurt V. Ulmer

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Missouri)

COUNTY OF St. Louis) : SS.

Subscribed and sworn to before me, a Notary Public, this 15 day of Oct, 2001.


Notary Public

(SEAL)

2001 OCT 15 10 50 AM
THERESA A. MAUPIN
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: June 6, 2004

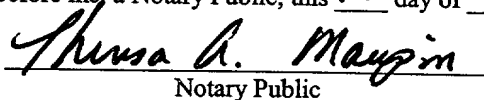

Joseph L. McGowan

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Missouri)

COUNTY OF St. Louis) : SS.

Subscribed and sworn to before me, a Notary Public, this 15 day of Oct, 2001.

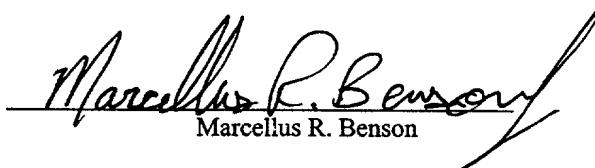

Notary Public

(SEAL)

THERESA A. MAUPIN
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: June 6, 2004

THERESA A. MA
Notary Public - No
STATE OF MIS
St. Louis Co.
Commission Expir

| | | |
|------------|--|-------------|
| ASSIGNMENT | Attorney Docket No.: 6866.01 | Page 3 of 3 |
| | First Named Inventor: James R. Hornsby | |
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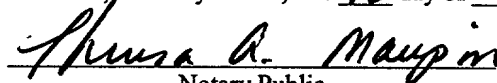

Marcellus R. Benson

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Missouri)

COUNTY OF St. Louis) : SS.

Subscribed and sworn to before me, a Notary Public, this 15 day of Oct, 2001.


Notary Public

(SEAL)

